

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1659 of 2021**

Arising Out of PS. Case No.-225 Year-2020 Thana- GORAUL District- Vaishali

1. Md. Lallan, son of Md. Nizamuddin, aged about 46 years, Male.  
2. Md. Parwej, son of Md. Nizamuddin, aged about 42 years, Male.  
Both are residents of Pakki Gali, Batman Maidan, P.S. - Kasim Bazar,  
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manendra Kumar Sinha

For the Opposite Party/s : Mr. Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      06-04-2021                      Heard Mr. Manendra Kumar Sinha, learned counsel  
for the petitioners and Mr. Kalyan Shankar, learned counsel  
appearing for the State through video conferencing.

Petitioners seek regular bail in connection with  
Goraul (Karthara) P.S. Case No. 225 of 2020 registered for the  
offence under Section 25 (1-A), 25 (1-AA), 25 (1-B)A, 26(1)(2)  
(3) and 35 of the Arms Act.

The allegation against the petitioners as per the First  
Information Report is that the informant- Police Officer, on the  
basis of direction of his superior authority raided the house of  
one Saheb Raza and recovered in-complete manufactured arms,  
parts of the arms etc. and arrested the petitioners along with  
others. It has also been alleged that one mobile phone has been



recovered from petitioner no. – 1.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case merely because they were present in the house of the main accused- Saheb Raza being his relative. Learned counsel further submits that petitioners have got no criminal antecedent of similar nature of offence and they are accused in a case registered under bailable Sections. Learned counsel next submits that no fire arm or any incriminating material has been recovered from the possession of the petitioners and both the petitioners are own brothers. Learned counsel next submits that petitioners are in custody since 29.06.2020 i.e. for more than 09 months. Learned counsel also submits that one another similarly situated co-accused namely, Md. Islam (Accused No. 8) has been granted bail by a Co-Ordinate Bench of this Court in Cr. Misc. No. 38818 of 2020.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that no fire arm has been recovered from the possession of the petitioners and similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioners.



Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-I, Vaishali in connection with Goraul (Karthara) P.S. Case No. 225 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

praful/-

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